

Drawings

Please replace Drawing Sheets 1 and 2 including Figures 1 and 2 with the attached amended Drawing Sheets.

Remarks

Claims 1- 2, 7 - 13 are pending in this application. Claims 3-6 and 14-15 are cancelled by this response. Claims 1, 7, 8 and 13 have been amended to further clarify the invention and correct claim dependencies. Support for these amendments is provided throughout the specification and in the original claims and specifically in Figures 5-8.

Objection to the Drawings

Figures 1 and 2 are objected to as not being designated by a legend such as – Prior Art - . Attached, please find amended Figures 1 and 2. Please replace Figures 1 and 2 on file with the attached amended Figures 1 and 2. These Figures have been amended to include the legend – Prior Art – as requested by the Examiner.

The drawings have been further objected to as not including the reference number 222 described in the specification. The specification has been amended to correct a typographical error and identify the retaining means with reference numeral 222 and the screw with the reference numeral 220. These reference numerals are clearly illustrated in Figure 6.

In view of the amendments to the drawings and specification it is respectfully submitted that this objection has been satisfied and should be withdrawn.

Objection to the Specification

The specification is objected to for certain informalities. The Specification has been amended in accordance with the comments of the Examiner to correct the informalities recited in page 3 of the Office Action. In accordance with MPEP 608.01(g), separate reference numbers have been provided for each part disclosed in the specification. Thus, Applicant respectfully submits that this objection has been satisfied and should be withdrawn.

Rejection of Claim 15 under 35 USC § 112, second paragraph

Claim 15 is rejected under 35 USC § 112, second paragraph as being indefinite. Claim 15 has been cancelled by this Response. In view of the cancellation of claim 15, it is respectfully submitted this rejection is now moot and should be withdrawn.

Rejection of Claims 1-15 under 35 U.S.C. § 103(a)

Claims 1-15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dodds (U.S. Pat. No. 5,621,189) in view of Burek et al. (U.S. Pat. No. 6,011,218).

The present invention provides, in amended claim 1, a junction for joining at least one first section of conduit to at least one second section of conduit. A body has at least one first connecting portion for connecting a respective first section of conduit to the body and at least one second connecting portion for connecting a second respective section of conduit to the body. The body defines a volume extending between the at least one first connecting portion and at least one second connecting portion. The body has at least one aperture allowing access to the volume. At least one lid is engagable with said body and is adapted to close the or each aperture. At least one earth connector is located within the body. At least one open channel is adapted to receive at least one earthed electrical cable in electrical contact with the body wherein the at least one channel is closed when the at least one lid closes the or each aperture. These features are neither disclosed nor suggested by Dodds and Burek, alone or in combination.

Dodds describes a conduit outlet fitting coated with one or more protective materials and a tooling and method for making a coated conduit outlet fitting with male and female seals. As admitted on page 5 of the Rejection, Dodds neither discloses nor suggests, "at least one earth connector located within said body and having at least one open channel adapted to receive at least one earthed electrical cable in electrical contact

with said body wherein at least one said channel is closed when at least one said lid closes the or each aperture,” as recited in the present claimed invention.

Burek describes a universal grounding clip for use in electrically grounding optical fiber cable, or other types of cable, having metallic components as members. Applicant respectfully submits that Burek (with Dodds) neither discloses nor suggests, “at least one earth connector located within said body and having at least one open channel adapted to receive at least one earthed electrical cable in electrical contact with said body wherein at least one said channel is closed when at least one said lid closes the or each aperture,” as recited in the present claimed invention. Rather, Figures 1a, 1b, 3 and 23 of Burek merely describe a device designed to be clamped to the **outside** of a fiber optic cable. The universal ground assembly 5, includes a grounding block 17 which comprises a U-shaped framework 18 with an upper grip member 19 positioned thereon. (Burek, column 6, lines 45-48). As shown in Figure 23 of Burek, the universal ground assembly 5 is shown clamped around the fiber optic cable 7. The fiber optic cable 7 is a tube through which optical electrical cables are fed, as shown in Figure 2 and column 6, lines 1-44 of Burek. Applicant respectfully submits that the fiber optic cable is analogous to the conduit referred to in the present invention which has electrical cables passing there through. The Burek device could be used on the **outside** of a section of conduit and would therefore not be “at least one earth connector located **within** said body and having at least one open channel adapted to receive at least one earthed electrical cable in electrical contact with said body,” as recited in the present claimed invention.

Additionally, nowhere in Burek is there any disclosure or suggestion that the “at least one channel is closed when at least one said lid closes the or each apertures,” as recited in the present claimed invention. The Burek device includes an upper grip member which acts to close the channel and clamp the device around the fiber optic cable. This is unlike the “lid” that “closes at least one channel” and “each aperture,” as in the present claimed invention. In the Burek device, in addition to grounding optical cable, the device also grips the optical fiber cable and makes contact with the armored sheath of the optical fiber cable, as well as providing a notch to receive the strength

member of the optical fiber cable, and the upper grip member, not a lid as in the present claimed invention, acts to close the recess and clamp the fiber optic cable therein.

Applicant further respectfully submits, the Burek device addresses an entirely different problem from the present invention, and thus there is no recognition of the problems solved by the present claimed invention. Burek describes a device having few components that are easily installed and deals primarily with optical fiber cable. Namely, Burek is concerned with the large number of individual parts of **optical cable** grounding hardware that are easily lost or misplaced and the significant amount of time required installing this hardware. The present invention, on the other hand, addresses the problem associated with prior art conduit outlet fittings, such as Dodds, namely hygienic grounding of the **electrical cables**.

Applicant further respectfully submits that there is no reason or motivation to combine the devices disclosed by Dodds and Burek. Dodds describes a coated conduit outlet fitting and a method and tool for creating the device. Burek describes a U-shaped universal grounding clamp for use with optical fiber cable. These references are responsive to different problems and thus it is respectfully submitted that the combination of these references to produce the present claimed invention would not be obvious. Dodds is concerned with minimizing or preventing corrosion between the coating and the underlying metal material, as well as improving the seal between the cover and body of the conduit outlet fitting. Burek, on the other hand, is concerned with providing "a simple, efficient, and time saving device and method for quickly and efficiently grounding a cable without the need to assemble a grounding clip assembly from a plurality of loose parts at the job site" (Burek, column 4, lines 46-50). Furthermore, it is not seen how these devices may be combined in any workable manner. As discussed in **the present** application, a main deficiency in the prior art is the ability to include a grounding/earth connector within the aperture without obstructing the passage of the cables or effecting the ability to present a compact and hygienic device. The combined device of Dodds and Burek would produce a junction which must be large enough to include the grounding clamp of Burek while not

obstructing the cables in the body, preventing them from passing through as discussed on page 2 lines 12-17 of the present specification. Alternatively, the combined device would produce a junction as disclosed by Dodds including the clamp of Burek positioned there around which contrary to the objectives of the present invention would produce a device which is difficult to clean around.

Even if there was a motivation to combine these two references, the combination of the device of Dodds with the device of Burek would not produce the present invention as claimed in claim 1. Instead, the device resulting from the above combination yields a coated U-shaped universal grounding clamp. This is wholly unlike the present claimed invention and provides no common problem recognition with the present claimed invention. Specifically, the present claimed invention recites “at least one earth connector located **within** said body and having at least one open channel adapted to receive at least one earthed electrical cable in electrical contact with said body wherein at least one said channel is closed when at least one said lid closes the or each apertures.” This combination is unlike the present claimed invention which requires that the coated U-shaped universal grounding clamp to be placed within an aperture of junction. Additionally, the design of the combined device poses the same problems described in the prior art Figures 1 and 2 of the present invention. Specifically, that the junction box of Figure 1 is even less compact and still has an undesirable circular volume. The connector of Burek is too big and unwieldy to fit in the compact junction of Figure 2 without obstructing the cables from passing there through.

Additionally, as described in the present invention, “in some industries hygiene is of importance. For example, in the food, beverage or pharmaceutical industries it can be important that the external surfaces of any conduit system are easy to clean.” The grounding claim of Burek would be too big and unwieldy to fit in the compact junction of Dodds. Alternatively, the grounding clamp of Burek would be positioned external to the junction of Dodds which is also undesirable. As further described in the present invention, “an externally clamped earthed wire would be unsuitable as this would create

a significant number of dirt traps and prove difficult to clean” and thus be un-hygienic (Specification, page 2, lines 23-31). Thus, the combined device of Dodds and Burek neither discloses nor suggests “at least one earth connector located **within** said body and having at least one open channel adapted to receive at least one earthed electrical cable in electrical contact with said body wherein at least one said channel is closed when at least one said lid closes the or each apertures” as recited in the present claimed invention. Consequently, it is respectfully submitted that amended claim 1 is patentable over the cited references when taken alone or in combination.

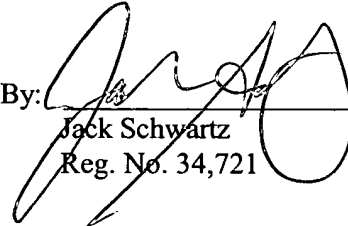
Regarding claim 8, the Office Action contends that Dodds (with Burek) shows “said channel is substantially U-shaped” as recited in the present invention. Applicant respectfully disagrees. The earth connecting means formed as a U-shaped open channel provides the added advantage “that a single cable can be used as the earthing cable throughout the conduit system and can be attached in a number of conduit junctions, by simply stripping the plastic coating from a section of cable and laying the stripped section in to the open channel. Thus an easy means for earthing the junction is provided making it less likely that junction will be missed out by a person installing the cables and thereby providing the most effective earth protection” (Specification, page 7, lines 22-30). The device of Burek is circular and includes a U-shaped framework with an upper grip member positioned thereon to clamp the optical fiber therein. This arrangement is not the same as the U-shaped channel as further defined in claim 1 of the present invention. This feature is neither disclosed nor suggested anywhere in Dodds or Burek.

In view of the above remarks and amendments to claims 1, 7, 8 and 13, it is respectfully submitted that independent claim 1 is not made unpatentable by Dodds alone or in combination with Burek. As claims 2, and 7-13 are dependent on claim 1, it is respectfully submitted that, in addition to the remarks presented herein above, these claims are also patentable for the reasons discussed above with respect to claim 1. It is further respectfully submitted that this rejection is satisfied and should be withdrawn.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicants' attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No additional fee is believed due. However, if additional fee is due, please charge the additional fee to Deposit Account 50-2828.

Respectfully submitted,
Richard J. Thompson

By: 
Jack Schwartz
Reg. No. 34,721

Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, New York 10018
Tel. No. (212) 971-0416
Fax No. (212) 971-0417
July 31, 2006

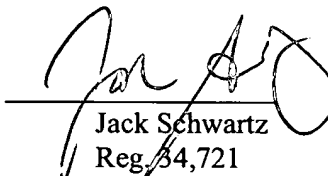
Serial No.: 10/534,904

1031-26

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: July 31, 2006



Jack Schwartz
Reg. 34,721
(212) 971-0416